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2 of the State of California
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6 Attorneys for Defendants Attorneys for Defendants
7 Director of Corrections, Cal. Terhune, Warden
8 Anthony Lamarque, Lieutenant D. Holt, Sergeant M.
Ross, Officer A. Alexander, Officer K. Greeson,
M.T.A. Harrison, and Health Care Manager Daniel
M. Thor, M.D.

E-FILED - 6/12/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

13 KENNETH HOLCOMB,

14 Plaintiff

16 C. TERHUNE; A. LAMARQUE; D.
17 HOLT; M. ROSS; A. ALEXANDER;
18 GREESON; MTA HARRISON; D.
THOR, M.D.; D. CLARK, M.D.; I.
GRILLO, M.D., et al.

19 Defendants

CASE NO. C03-02765 RMW

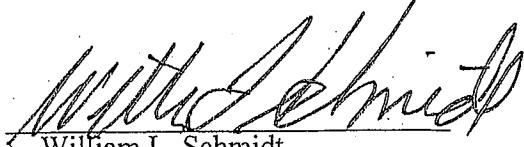
STIPULATION AND [PROPOSED]
ORDER FOR VOLUNTARY
DISMISSAL WITH PREJUDICE
[Fed. R. Civ. P. 41(a)]

20 The parties, by and through their counsel of record, stipulate that this matter may be
21 dismissed **with** prejudice pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, each
22 party to bear their own costs and attorneys fees, including any entitlement to fee or costs under
23 42 U.S.C. section 1988. At the Plaintiff's request, the Court has heretofore dismissed all claims
24 against Dr. Thor and M.T.A. Harrison. The Plaintiff has settled his civil claims, including
25 claims for attorneys' fees and costs under 42 U.S.C. section 1988 and otherwise, against all
26 remaining defendants. The Parties therefore respectfully request that the Court dismiss this
27 action in its entirety **with** prejudice.

28 This stipulation may be executed in counterpart signatures

1 IT IS SO STIPULATED:

2
3 DATED: 2/25/08


4 William L. Schmidt
5 Attorney for Plaintiff Kenneth Holcomb

6 DATED: _____

7
8 Suzy C. Moore
9 Attorney for Plaintiff Kenneth Holcomb

10 DATED: _____

11 Van Longyear
12 Attorney for Defendant David Clark, M.D.

13 DATED: _____

14 Joseph S. Picchi, Esq.
15 Attorney for Defendant Dr. Isaac Grillo, M.D.

16 DATED: _____

17 Tom Blake
18 Deputy Attorney General
19 Attorneys for Defendants Director of Corrections, Cal.
20 Terhune, Warden Anthony Lamarque, Lieutenant D. Holt,
21 Sergeant M. Ross, Officer A. Alexander, Officer K. Greeson,
22 M.T.A. Harrison, and Health Care Manager Daniel M. Thor,
23 M.D.

24
25
26 ORDER DISMISSING ACTION

27 IT IS SO ORDERED. This entire action is dismissed with prejudice, all parties to bear
28 their own costs and attorneys' fees.

29 Dated: _____

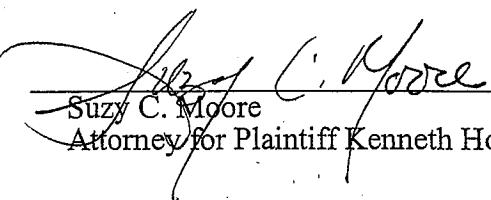
30
31 RONALD M. WHITE
32 United States District Judge

1 IT IS SO STIPULATED:

2
3 DATED: _____

4 William L. Schmidt
5 Attorney for Plaintiff Kenneth Holcomb

6 DATED: 2/28/05

7 
8 Suzy C. Moore
9 Attorney for Plaintiff Kenneth Holcomb

10 DATED: _____

11 Van Longyear
12 Attorney for Defendant David Clark, M.D.

13 DATED: _____

14 Joseph S. Picchi, Esq.
15 Attorney for Defendant Dr. Isaac Grillo, M.D.

16 DATED: _____

17 Tom Blake
18 Deputy Attorney General
19 Attorneys for Defendants Director of Corrections, Cal.
20 Terhune, Warden Anthony Lamarque, Lieutenant D. Holt,
21 Sergeant M. Ross, Officer A. Alexander, Officer K. Greeson,
22 M.T.A. Harrison, and Health Care Manager Daniel M. Thor,
23 M.D.

24
25
26 ORDER DISMISSING ACTION

27 IT IS SO ORDERED. This entire action is dismissed with prejudice, all parties to bear
28 their own costs and attorneys' fees.

29 Dated: _____

30 RONALD M. WHITE
31 United States District Judge

1 IT IS SO STIPULATED:
2

3 DATED: _____ William L. Schmidt
4 Attorney for Plaintiff Kenneth Holcomb

5 DATED: _____ Suzy C. Moore
6 Attorney for Plaintiff Kenneth Holcomb
7

8 DATED: 1/18/08 Van Longyear
9 Van Longyear
10 Attorney for Defendant David Clark, M.D.

11 DATED: _____ Joseph S. Picchi, Esq.
12 Attorney for Defendant Dr. Isaac Grillo, M.D.
13

14 DATED: 1/12/2008 Tom Blake
15 Tom Blake
16 Deputy Attorney General
17 Attorneys for Defendants Director of Corrections, Cal.
18 Terhune, Warden Anthony Lamarque, Lieutenant D. Holt,
19 Sergeant M. Ross, Officer A. Alexander, Officer K. Greeson,
20 M.T.A. Harrison, and Health Care Manager Daniel M. Thor,
21 M.D.

22
23 ORDER DISMISSING ACTION

24 IT IS SO ORDERED. This entire action is dismissed with prejudice, all parties to bear
25 their own costs and attorneys' fees.
26

27 Dated: _____
28

RONALD M. WHITE
United States District Judge

1 IT IS SO STIPULATED:
2

3 DATED: _____

4 William L. Schmidt
5 Attorney for Plaintiff Kenneth Holcomb

6 DATED: _____

7 Suzy C. Moore
8 Attorney for Plaintiff Kenneth Holcomb

9 DATED: _____

10 Van Longyear
11 Attorney for Defendant David Clark, M.D.

12 DATED: 12/13/07

13 Joseph S. Picchi, Esq.
14 Attorney for Defendant Dr. Isaac Grillo, M.D.

15 DATED: 12/13/07

16 Tom Blake
17 Deputy Attorney General
18 Attorneys for Defendants Director of Corrections, Cal.
19 Terhune, Warden Anthony Lamarque, Lieutenant D. Holt,
20 Sergeant M. Ross, Officer A. Alexander, Officer K. Greeson,
21 M.T.A. Harrison, and Health Care Manager Daniel M. Thor,
22 M.D.

23 ORDER DISMISSING ACTION

24 IT IS SO ORDERED. This entire action is dismissed with prejudice, all parties to bear
25 their own costs and attorneys' fees.

26 Dated: 6/12/08

27
28 *Ronald M. Whyte*
RONALD M. WHITE
United States District Judge